

103^D CONGRESS
1ST SESSION

H. R. 333

To provide educational assistance to law enforcement personnel and to
increase the number of police officers.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. DORNAN introduced the following bill; which was referred to the
Committee on the Judiciary

A BILL

To provide educational assistance to law enforcement
personnel and to increase the number of police officers.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Police Corps and Law
5 Enforcement Training and Education Act”.

6 **SEC. 2. PURPOSES.**

7 The purposes of this Act are to—

8 (1) address violent crime by increasing the
9 number of police with advanced education and train-
10 ing on community patrol;

1 (2) provide educational assistance to law en-
2 forcement personnel and to students who possess a
3 sincere interest in public service in the form of law
4 enforcement; and

5 (3) assist State and local law enforcement ef-
6 forts to enhance the educational status of law en-
7 forcement personnel both through increasing the
8 educational level of existing officers and by recruit-
9 ing more highly educated officers.

10 **SEC. 3. ESTABLISHMENT OF OFFICE OF THE POLICE CORPS**
11 **AND LAW ENFORCEMENT EDUCATION.**

12 (a) ESTABLISHMENT.—There is established in the
13 Department of Justice, under the general authority of the
14 Attorney General, an Office of the Police Corps and Law
15 Enforcement Education.

16 (b) APPOINTMENT OF DIRECTOR.—The Office of the
17 Police Corps and Law Enforcement Education shall be
18 headed by a Director (referred to in this Act as the “Di-
19 rector”) who shall be appointed by the President, by and
20 with the advice and consent of the Senate.

21 (c) RESPONSIBILITIES OF DIRECTOR.—The Director
22 shall be responsible for the administration of the Police
23 Corps program established under this Act and shall have
24 authority to promulgate regulations to implement this Act.

1 **SEC. 4. DESIGNATION OF LEAD AGENCY AND SUBMISSION**
2 **OF STATE PLAN.**

3 (a) LEAD AGENCY.—A State that desires to partici-
4 pate in the Police Corps program under this Act shall des-
5 ignate a lead agency that will be responsible for—

6 (1) submitting to the Director a State plan de-
7 scribed in subsection (b); and

8 (2) administering the program in the State.

9 (b) STATE PLANS.—A State plan shall—

10 (1) contain assurances that the lead agency
11 shall work in cooperation with the local law enforce-
12 ment liaisons, representatives of police labor organi-
13 zations and police management organizations, and
14 other appropriate State and local agencies to develop
15 and implement interagency agreements designed to
16 carry out the program;

17 (2) contain assurances that the State shall ad-
18 vertise the assistance available under this Act;

19 (3) contain assurances that the State shall
20 screen and select law enforcement personnel for par-
21 ticipation in the program; and

22 (4) if the State desires to participate in the Po-
23 lice Corps program under this Act, meet the require-
24 ments of section 10.

25 **SEC. 5. DEFINITIONS.**

26 For the purposes of this Act—

1 (1) the term “academic year” means a tradi-
2 tional academic year beginning in August or Sep-
3 tember and ending in the following May or June;

4 (2) the term “dependent child” means a natural
5 or adopted child or stepchild of a law enforcement
6 officer who at the time of the officer’s death—

7 (A) was no more than 21 years old; or

8 (B) if older than 21 years, was in fact de-
9 pendent on the child’s parents for at least one-
10 half of the child’s support (excluding edu-
11 cational expenses), as determined by the Direc-
12 tor;

13 (3) the term “educational expenses” means ex-
14 penses that are directly attributable to—

15 (A) a course of education leading to the
16 award of the baccalaureate degree; or

17 (B) a course of graduate study following
18 award of a baccalaureate degree, including the
19 cost of tuition, fees, books, supplies, transpor-
20 tation, room and board and miscellaneous ex-
21 penses;

22 (4) the term “participant” means a participant
23 in the Police Corps program selected pursuant to
24 section 7;

1 (5) the term “State” means a State of the
2 United States, the District of Columbia, the Com-
3 monwealth of Puerto Rico, the Virgin Islands, Amer-
4 ican Samoa, Guam, and the Commonwealth of the
5 Northern Mariana Islands; and

6 (6) the term “State Police Corps program”
7 means a State police corps program approved under
8 section 10.

9 **SEC. 6. SCHOLARSHIP ASSISTANCE.**

10 (a) SCHOLARSHIP AUTHORIZED.—(1) The Director
11 is authorized to award scholarships to participants who
12 agree to work in a State or local police force in accordance
13 with agreements entered into pursuant to subsection (d).

14 (2)(A) Except as provided in subparagraph (B) each
15 scholarship payment made under this section for each aca-
16 demic year shall not exceed—

17 (i) \$10,000; or

18 (ii) the cost of the educational expenses related
19 to attending an institution of higher education.

20 (B) In the case of a participant who is pursuing a
21 course of educational study during substantially an entire
22 calendar year, the amount of scholarship payments made
23 during such year shall not exceed \$13,333.

1 (C) The total amount of scholarship assistance re-
2 ceived by any one student under this section shall not ex-
3 ceed \$40,000.

4 (3) Recipients of scholarship assistance under this
5 section shall continue to receive such scholarship payments
6 only during such periods as the Director finds that the
7 recipient is maintaining satisfactory progress as deter-
8 mined by the institution of higher education the recipient
9 is attending.

10 (4)(A) The Director shall make scholarship payments
11 under this section directly to the institution of higher edu-
12 cation that the student is attending.

13 (B) Each institution of higher education receiving a
14 payment on behalf of a participant pursuant to subpara-
15 graph (A) shall remit to such student any funds in excess
16 of the costs of tuition, fees, and room and board payable
17 to the institution.

18 (b) REIMBURSEMENT AUTHORIZED.—(1) The Direc-
19 tor is authorized to make payments to a participant to
20 reimburse such participant for the costs of educational ex-
21 penses if such student agrees to work in a State or local
22 police force in accordance with the agreement entered into
23 pursuant to subsection (d).

24 (2)(A) Each payment made pursuant to paragraph
25 (1) for each academic year of study shall not exceed—

1 (i) \$10,000; or

2 (ii) the cost of educational expenses related to
3 attending an institution of higher education.

4 (B) In the case of a participant who is pursuing a
5 course of educational study during substantially an entire
6 calendar year, the amount of scholarship payments made
7 during such year shall not exceed \$13,333.

8 (C) The total amount of payments made pursuant to
9 subparagraph (A) to any one student shall not exceed
10 \$40,000.

11 (c) USE OF SCHOLARSHIP.—Scholarships awarded
12 under this subsection shall only be used to attend a 4-
13 year institution of higher education, except that—

14 (1) scholarships may be used for graduate and
15 professional study; and

16 (2) where a participant has enrolled in the pro-
17 gram upon or after transfer to a 4-year institution
18 of higher education, the Director may reimburse the
19 participant for the participant's prior educational
20 expenses.

21 (d) AGREEMENT.—(1) Each participant receiving a
22 scholarship or a payment under this section shall enter
23 into an agreement with the Director. Each such agreement
24 shall contain assurances that the participant shall—

1 (A) after successful completion of a bacca-
2 laureate program and training as prescribed in sec-
3 tion 8, work for 4 years in a State or local police
4 force without there having arisen sufficient cause for
5 the participant's dismissal under the rules applicable
6 to members of the police force of which the partici-
7 pant is a member;

8 (B) complete satisfactorily—

9 (i) an educational course of study and re-
10 ceipt of a baccalaureate degree (in the case of
11 undergraduate study) or the reward of credit to
12 the participant for having completed one or
13 more graduate courses (in the case of graduate
14 study);

15 (ii) Police Corps training and certification
16 by the Director that the participant has met
17 such performance standards as may be estab-
18 lished pursuant to section 8; and

19 (C) repay all of the scholarship or payment re-
20 ceived plus interest at the rate of 10 percent in the
21 event that the conditions of subparagraphs (A) and
22 (B) are not complied with.

23 (2)(A) A recipient of a scholarship or payment under
24 this section shall not be considered in violation of the

1 agreement entered into pursuant to paragraph (1) if the
2 recipient—

3 (i) dies; or

4 (ii) becomes permanently and totally disabled as
5 established by the sworn affidavit of a qualified phy-
6 sician.

7 (B) In the event that a scholarship recipient is unable
8 to comply with the repayment provision set forth in sub-
9 paragraph (B) of paragraph (1) because of a physical or
10 emotional disability or for good cause as determined by
11 the Director, the Director may substitute community serv-
12 ice in a form prescribed by the Director for the required
13 repayment.

14 (C) The Director shall expeditiously seek repayment
15 from participants who violate the agreement described in
16 paragraph (1).

17 (e) DEPENDENT CHILD.—A dependent child of a law
18 enforcement officer—

19 (1) who is a member of a State or local police
20 force or is a Federal criminal investigator or uni-
21 formed police officer,

22 (2) who is not a participant in the Police Corps
23 program, but

24 (3) who serves in a State for which the Director
25 has approved a Police Corps plan, and

1 (4) who is killed in the course of performing
2 police duties,
3 shall be entitled to the scholarship assistance authorized
4 in this section for any course of study in any accredited
5 institution of higher education. Such dependent child shall
6 not incur any repayment obligation in exchange for the
7 scholarship assistance provided in this section.

8 (f) GROSS INCOME.—For purposes of section 61 of
9 the Internal Revenue Code of 1986, a participant's or de-
10 pendent child's gross income shall not include any amount
11 paid as scholarship assistance under this section or as a
12 stipend under section 8.

13 (g) APPLICATION.—Each participant desiring a
14 scholarship or payment under this section shall submit an
15 application as prescribed by the Director in such manner
16 and accompanied by such information as the Director may
17 reasonably require.

18 (h) DEFINITION.—For the purposes of this section
19 the term “institution of higher education” has the mean-
20 ing given that term in the first sentence of section 1201(a)
21 of the Higher Education Act of 1965 (20 U.S.C. 1141(a)).

22 **SEC. 7. SELECTION OF PARTICIPANTS.**

23 (a) IN GENERAL.—Participants in State Police Corps
24 programs shall be selected on a competitive basis by each
25 State under regulations prescribed by the Director.

1 (b) SELECTION CRITERIA AND QUALIFICATIONS.—

2 (1) In order to participate in a State Police Corps pro-
3 gram, a participant must—

4 (A) be a citizen of the United States or an alien
5 lawfully admitted for permanent residence in the
6 United States;

7 (B) meet the requirements for admission as a
8 trainee of the State or local police force to which the
9 participant will be assigned pursuant to section 10,
10 including achievement of satisfactory scores on any
11 applicable examination, except that failure to meet
12 the age requirement for a trainee of the State or
13 local police shall not disqualify the applicant if the
14 applicant will be of sufficient age upon completing
15 an undergraduate course of study;

16 (C) possess the necessary mental and physical
17 capabilities and emotional characteristics to dis-
18 charge effectively the duties of a law enforcement
19 officer;

20 (D) be of good character and demonstrate sin-
21 cere motivation and dedication to law enforcement
22 and public service;

23 (E) in the case of an undergraduate, agree in
24 writing that the participant will complete an edu-
25 cational course of study leading to the award of a

1 baccalaureate degree and will then accept an ap-
2 pointment and complete 4 years of service as an offi-
3 cer in the State police or in a local police depart-
4 ment within the State;

5 (F) in the case of a participant desiring to un-
6 dertake or continue graduate study, agree in writing
7 that the participant will accept an appointment and
8 complete 4 years of service as an officer in the State
9 police or in a local police department within the
10 State before undertaking or continuing graduate
11 study;

12 (G) contract, with the consent of the partici-
13 pant's parent or guardian if the participant is a
14 minor, to serve for 4 years as an officer in the State
15 police or in a local police department, if an appoint-
16 ment is offered; and

17 (H) except as provided in paragraph (2), be
18 without previous law enforcement experience.

19 (2)(A) Until the date that is 5 years after the date
20 of enactment of this Act, up to 10 percent of the appli-
21 cants accepted into the Police Corps program may be per-
22 sons who—

23 (i) have had some law enforcement experience;
24 and

1 (ii) have demonstrated special leadership poten-
2 tial and dedication to law enforcement.

3 (B)(i) The prior period of law enforcement of a par-
4 ticipant selected pursuant to subparagraph (A) shall not
5 be counted toward satisfaction of the participant's 4-year
6 service obligation under section 9, and such a participant
7 shall be subject to the same benefits and obligations under
8 this Act as other participants, including those stated in
9 subparagraphs (b)(1) (E) and (F).

10 (ii) Clause (i) shall not be construed to preclude
11 counting a participant's previous period of law enforce-
12 ment experience for purposes other than satisfaction of the
13 requirements of section 9, such as for purposes of deter-
14 mining such a participant's pay and other benefits, rank,
15 and tenure.

16 (3) It is the intent of this Act that there shall be
17 no more than 20,000 participants in each graduating
18 class. The Director shall approve State plans providing in
19 the aggregate for such enrollment of applicants as shall
20 assure, as nearly as possible, annual graduating classes
21 of 20,000. In a year in which applications are received
22 in a number greater than that which will produce, in the
23 judgment of the Director, a graduating class of more than
24 20,000, the Director shall, in deciding which applications
25 to grant, give preference to those who will be participating

1 in State plans that provide law enforcement personnel to
2 areas of greatest need.

3 (c) RECRUITMENT OF MINORITIES.—Each State par-
4 ticipating in the Police Corps program shall make special
5 efforts to seek and recruit qualified applicants from among
6 members of all racial, ethnic, or gender groups. This sub-
7 section does not authorize an exception from the competi-
8 tive standards for admission established pursuant to sub-
9 sections (a) and (b).

10 (d) ENROLLMENT OF APPLICANT.—(1) An applicant
11 shall be accepted into a State Police Corps program on
12 the condition that the applicant will be matriculated in,
13 or accepted for admission at, a 4-year institution of higher
14 education (as described in the first sentence of section
15 1201(a) of the Higher Education Act of 1965 (20 U.S.C.
16 1141(a))—

17 (A) as a full-time student in an undergraduate
18 program; or

19 (B) for purposes of taking a graduate course.

20 (2) If the applicant is not matriculated or accepted
21 as set forth in paragraph (1), the applicant's acceptance
22 in the program shall be revoked.

23 (e) LEAVE OF ABSENCE.—(1) A participant in a
24 State Police Corps program who requests a leave of ab-
25 sence from educational study, training or service for a pe-

1 riod not to exceed 1 year (or 18 months in the aggregate
2 in the event of multiple requests) due to temporary phys-
3 ical or emotional disability shall be granted such leave of
4 absence by the State.

5 (2) A participant who requests a leave of absence
6 from educational study, training or service for a period
7 not to exceed 1 year (or 18 months in the aggregate in
8 the event of multiple requests) for any reason other than
9 those listed in paragraph (1) may be granted such level
10 of absence by the State.

11 (3) A participant who requests a leave of absence
12 from educational study or training for a period not to ex-
13 ceed 30 months to serve on an official church mission may
14 be granted such leave of absence.

15 (f) ADMISSION OF APPLICANTS.—An applicant may
16 be admitted into a State Police Corps program either be-
17 fore commencement of or during the applicant's course of
18 educational study.

19 **SEC. 8. POLICE CORPS TRAINING.**

20 (a) IN GENERAL.—(1) The Director shall establish
21 programs of training for Police Corps participants. Such
22 programs may be carried out at up to 3 training centers
23 established for this purpose and administered by the Di-
24 rector, or by contracting with existing State training facili-
25 ties. The Director shall contract with a State training fa-

1 cility upon request of such facility if the Director deter-
2 mines that such facility offers a course of training sub-
3 stantially equivalent to the Police Corps training program
4 described in this Act.

5 (2) The Director is authorized to enter into contracts
6 with individuals, institutions of learning, and government
7 agencies (including State and local police forces), to obtain
8 the services of persons qualified to participate in and con-
9 tribute to the training process.

10 (3) The Director is authorized to enter into agree-
11 ments with agencies of the Federal Government to utilize
12 on a reimbursable basis space in Federal buildings and
13 other resources.

14 (4) The Director may authorize such expenditures as
15 are necessary for the effective maintenance of the training
16 centers, including purchases of supplies, uniforms, and
17 educational materials, and the provision of subsistence,
18 quarters, and medical care to participants.

19 (b) TRAINING SESSIONS.—A participant in a State
20 Police Corps program shall attend two 8-week training
21 sessions at a training center, one during the summer fol-
22 lowing completion of sophomore year and one during the
23 summer following completion of junior year. If a partici-
24 pant enters the program after sophomore year, the partici-

1 participant shall complete 16 weeks of training at times deter-
2 mined by the Director.

3 (c) FURTHER TRAINING.—The 16 weeks of Police
4 Corps training authorized in this section is intended to
5 serve as basic law enforcement training but not to exclude
6 further training of participants by the State and local au-
7 thorities to which they will be assigned. Each State plan
8 approved by the Director under section 10 shall include
9 assurances that following completion of a participant's
10 course of education each participant shall receive appro-
11 priate additional training by the State or local authority
12 to which the participant is assigned. The time spent by
13 a participant in such additional training, but not the time
14 spent in Police Corps training, shall be counted toward
15 fulfillment of the participant's 4-year service obligation.

16 (d) COURSE OF TRAINING.—The training sessions at
17 training centers established under this section shall be de-
18 signed to provide basic law enforcement training, includ-
19 ing vigorous physical and mental training to teach partici-
20 pants self-discipline and organizational loyalty and to im-
21 part knowledge and understanding of legal processes and
22 law enforcement.

23 (e) EVALUATION OF PARTICIPANTS.—A participant
24 shall be evaluated during training for mental, physical,
25 and emotional fitness, and shall be required to meet per-

1 performance standards prescribed by the Director at the con-
2 clusion of each training session in order to remain in the
3 Police Corps program.

4 (f) STIPEND.—The Director shall pay participants in
5 training sessions a stipend of \$250 a week during training.

6 **SEC. 9. SERVICE OBLIGATION.**

7 (a) SWEARING IN.—Upon satisfactory completion of
8 the participant's course of education and training program
9 established in section 8 and meeting the requirements of
10 the police force to which the participant is assigned, a par-
11 ticipant shall be sworn in as a member of the police force
12 to which the participant is assigned pursuant to the State
13 Police Corps plan, and shall serve for 4 years as a member
14 of that police force.

15 (b) RIGHTS AND RESPONSIBILITIES.—A participant
16 shall have all the rights and responsibilities of and shall
17 be subject to all rules and regulations applicable to other
18 members of the police force of which the participant is
19 a member, including those contained in applicable agree-
20 ments with labor organizations and those provided by
21 State and local law.

22 (c) DISCIPLINE.—If the police force of which the par-
23 ticipant is a member subjects the participant to discipline
24 such as would preclude the participant's completing 4
25 years of service, and result in denial of educational assist-

1 ance under section 6, the Director may, upon a showing
2 of good cause, permit the participant to complete the serv-
3 ice obligation in an equivalent alternative law enforcement
4 service and, if such service is satisfactorily completed, sec-
5 tion 6(d)(1)(C) shall not apply.

6 (d) LAY-OFFS.—If the police force of which the par-
7 ticipant is a member lays off the participant such as would
8 preclude the participants' completing 4 years of service,
9 and result in denial of educational assistance under sec-
10 tion 6, the Director may permit the participant to com-
11 plete the service obligation in an equivalent alternative law
12 enforcement service and, if such service is satisfactorily
13 completed, section 6(d)(1)(C) shall not apply.

14 **SEC. 10. STATE PLAN REQUIREMENTS.**

15 A State Police Corps Plan shall—

16 (1) provide for the screening and selection of
17 participants in accordance with the criteria set out
18 in section 7;

19 (2) state procedures governing the assignment
20 of participants in the Police Corps program to State
21 and local police forces (no more than 10 percent of
22 all the participants assigned in each year by each
23 State to be assigned to a statewide police force or
24 forces);

1 (3) provide that participants shall be assigned
2 to those geographic areas in which—

3 (A) there is the greatest need for addi-
4 tional law enforcement personnel; and

5 (B) the participants will be used most ef-
6 fectively;

7 (4) provide that to the extent consistent with
8 paragraph (3), a participant shall be assigned to an
9 area near the participant's home or such other place
10 as the participant may request;

11 (5) provide that to the extent feasible, a partici-
12 pant's assignment shall be made at the time the par-
13 ticipant is accepted into the program, subject to
14 change—

15 (A) prior to commencement of a partici-
16 pant's fourth year of undergraduate study,
17 under such circumstances as the plan may
18 specify; and

19 (B) from commencement of a participant's
20 fourth year of undergraduate study until com-
21 pletion of 4 years of police service by partici-
22 pant, only for compelling reasons or to meet the
23 needs of the State Police Corps program and
24 only with the consent of the participant;

1 (6) to provide that no participant shall be as-
2 signed to serve with a local police force—

3 (A) whose size has declined by more than
4 5 percent since June 21, 1989; or

5 (B) which has members who have been laid
6 off but not retired;

7 (7) provide that participants shall be placed and
8 to the extent feasible kept on community and pre-
9 ventive patrol;

10 (8) assure that participants will receive effective
11 training and leadership;

12 (9) provide that the State may decline to offer
13 a participant an appointment following completion of
14 Federal training, or may remove a participant from
15 the Police Corps program at any time, only for good
16 cause (including failure to make satisfactory
17 progress in a course of educational study) and after
18 following reasonable review procedures stated in the
19 plan; and

20 (10) provide that a participant shall, while serv-
21 ing as a member of a police force, be compensated
22 at the same rate of pay and benefits and enjoy the
23 same rights under applicable agreements with labor
24 organizations and under State and local law as other

1 police officers of the same rank and tenure in the
2 police force of which the participant is a member.

3 **SEC. 11. REPORTS TO CONGRESS.**

4 (a) ANNUAL REPORTS.—Not later than April 1 of
5 each fiscal year, the Director shall submit a report to the
6 Attorney General, the President, the Speaker of the House
7 of Representatives, and the President of the Senate. Such
8 report shall—

9 (1) state the number of current and past par-
10 ticipants in the Police Corps program authorized by
11 this Act, broken down according to the levels of edu-
12 cational study in which they are engaged and years
13 of service they have served on police forces (includ-
14 ing service following completion of the 4-year service
15 obligation);

16 (2) describe the geographic dispersion of par-
17 ticipants in the Police Corps program; and

18 (3) describe the progress of the programs au-
19 thorized by this Act and make recommendations for
20 changes in the programs.

21 **SEC. 12. AUTHORIZATION OF APPROPRIATIONS.**

22 There are authorized to be appropriated to carry out
23 this Act \$100,000,000 for fiscal years 1993 and 1994, and
24 \$200,000,000 for each of fiscal years 1995, 1996, and
25 1997.



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